

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SHARON BOBBITT, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

**VS.**

ANDREW J. FILIPOWSKI, et al.,

**Defendants.**

**JAMES F. HOWARD, Individually and On  
Behalf of All Others Similarly Situated,**

Plaintiff,

**vs.**

ANDREW J. FILIPOWSKI, et al.,

**Defendants.**

NO. 04-12263-PBS

**DECLARATION OF HOWARD T. LONGMAN FILED ON BEHALF OF STULL, STULL & BRODY IN SUPPORT OF AWARD OF ATTORNEY FEES AND EXPENSES**

No. 06-11072-PBS

I, HOWARD T. LONGMAN, DECLARE AS FOLLOWS:

1. I am a senior attorney with the law firm of Stull, Stull & Brody. I am submitting this declaration in support of my firm's application for an award of attorney fees and expenses in connection with services rendered in the above-entitled action.

2. This firm is counsel of record for Lead Plaintiff James Tito.

3. The identification and background of my firm and its attorneys is attached hereto as Exhibit A.

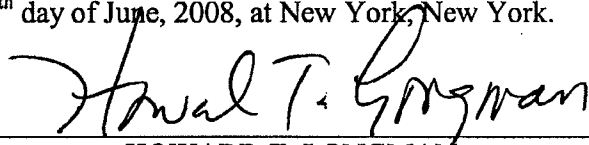
4. The total amount of time spent on this litigation by my firm is 1,085.58 hours. The total lodestar amount for attorney and paralegal time based on the firm's current hourly rates is \$754,545.50. Attached hereto as Exhibit B is a chart detailing the time expended by each attorney and paralegal of my firm, their respective current hourly rates and the lodestar total (hours x hourly rate).

5. Throughout the course of this litigation, the attorneys and paralegals of my firm performed the following work: consulted on an ongoing basis with the client; performed initial factual and legal research regarding the claims; drafted a complaint; calculated investor losses; made a lead plaintiff motion; worked on the briefs in opposition to the motions to dismiss; consulted with damage and accounting experts; worked on the briefs in opposition to the transfer of this case to the Bankruptcy Court; reviewed and analyzed the trustees' complaint; attended court hearings; drafted the amended complaint and second consolidated complaint; worked with Lowenstein & Sandler, PC. (Bankruptcy Counsel) on numerous bankruptcy issues; drafted the mediation statement; prepared for and attended mediation sessions; negotiated the settlement; worked on the Memorandum of Understanding; drafted various parts of the final settlement papers; conferred with co-counsel regarding case strategy; and reviewed all pleadings.

6. My firm incurred a total of \$298,760.33 in expenses in connection with the prosecution of this litigation. Attached hereto as Exhibit C is breakdown of these expenses.

7. The expenses pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers, check records, paid invoices and other source documents and are an accurate record of the expenses.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 17<sup>th</sup> day of June, 2008, at New York, New York.

  
\_\_\_\_\_  
HOWARD T. LONGMAN

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CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 17, 2008.

s/ Ellen Gusikoff Stewart

ELLEN GUSIKOFF STEWART

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
655 West Broadway, Suite 1900  
San Diego, CA 92101-3301  
Telephone: 619/231-1058  
619/231-7423 (fax)  
E-mail: [EllenG@csgrr.com](mailto:EllenG@csgrr.com)

## Mailing Information for a Case 1:04-cv-12263-PBS

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Bruce S. Barnett**  
bruce.barnett@dlapiper.com,janine.medina@dlapiper.com
- **Thomas David Brooks**  
tdbrooks@sperling-law.com
- **Joel G. Chefitz**  
jchefitz@mwe.com
- **Christopher J. Panos, Trustee of the Sabine, Inc. Liquidating Trust**  
jkoltun@craigmacauley.com
- **Joseph Edward Collins**  
joseph.collins@dlapiper.com
- **Mayeti Gametchu**  
mgametchu@wolfblock.com,mahall@wolfblock.com
- **Ellen Anne Gusikoff Stewart**  
elleng@csgrr.com,elleng@csgrr.com
- **James E. Hanlon , Jr**  
hanlonj@howrey.com
- **Howard T. Longman**  
tsvi@aol.com
- **Kevin J. O'Connor**  
koconnor@wolfblock.com,mahall@wolfblock.com
- **David Pastor**  
dpastor@gilmanpastor.com,rkaloutas@gilmanpastor.com,sdurgin@gilmanpastor.com
- **Stephanie R. Pratt**  
spratt@segalroitman.com,jstein@segalroitman.com
- **David A. Rosenfeld**  
drosenfeld@csgrr.com
- **Samuel H. Rudman**  
SRudman@csgrr.com
- **Anne R. Sills**

asills@segalroitman.com,sgillin@segalroitman.com,tsullivan@segalroitman.com

- **Bruce S. Sperling**  
bss@sperling-law.com
- **Mary T. Sullivan**  
msullivan@segalroitman.com,jstein@segalroitman.com,sgillin@segalroitman.com
- **Marc A. Topaz**  
ecf\_filings@sbtclaw.com
- **Marc M. Umeda**  
notice@ruflaw.com,zimmer@ruflaw.com,umeda@ruflaw.com

## Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

### **Guri Ademi**

Ademi & O'Reilly  
3620 East Layton  
Cudahy, WI 53110

### **Shpetim Ademi**

Ademi & O'Reilly  
3620 East Layton  
Cudahy, WI 53110

### **Celiza Patricia Braganca**

Sperling & Slater  
55 West Monroe Street  
Suite 3200  
Chicago, IL 60603

### **Michael A. Duffy**

Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, IL 60601

### **Eugene J. Frett**

Sperling & Slater  
55 West Monroe Street  
Suite 3200  
Chicago, IL 60603

### **John A.D. Gilmore**

DLA Piper Rudnick Gray Cary US LLP  
One International Place, 21st Floor  
100 Oliver Street  
Boston, MA 02110-2600

### **John F. Hartmann**

Kirkland & Ellis LLP  
200 East Randolph Drive

Chicago, IL 60601

**Bruce C. Howard**

Law Offices of Robert D. Allison  
122 South Michigan Avenue 1850  
Chicago, IL 60603

**Douglas Warren Hyman**

Piper Rudnick LLP  
203 North LaSalle Street  
#1900  
Chicago, IL 60601-1293

**Samuel Bayard Isaacson**

Piper Rudnick LLP  
203 North LaSalle Street  
#1900  
Chicago, IL 60601-1293

**Daniel J. Lyne**

Hanify & King  
Professional Corporation  
One Beacon Street  
Boston, MA 02108-3107

**Marvin Allen Miller**

Miller Faucher and Cafferty, LLP  
30 North LaSalle Street  
Suite 3200  
Chicago, IL 60602

**Christopher B. Sanchez**

Miller Faucher and Cafferty, LLP  
30 North LaSalle Street  
Suite 3200  
Chicago, IL 60602

**Patrick J. Sherlock**

Beigel, Schy, Lasky, Cohen, Rifkind & Hennessey  
11 South LaSalle  
Suite 1600  
Chicago, IL 60606

**Jennifer Winter Sprengel**

Miller Faucher and Cafferty, LLP  
30 North LaSalle Street  
Suite 3200  
Chicago, IL 60602

**Lawrence A. Wojcik**

Piper Rudnick Gray Cary US LLP  
203 N. LaSalle  
Suite 1800  
Chicago, IL 60601-1293